

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
NUANCE COMMUNICATIONS, INC.,)	
)	
Plaintiff,)	
)	Civil Action
v.)	No. 19-11438
)	
OMILIA NATURAL LANGUAGE,)	
SOLUTIONS, LTD.,)	
)	
Defendant.)	
=====)	

ORDER FOR PRETRIAL CONFERENCE

February 11, 2020

Saris, D.J.

The above-captioned action is scheduled for a **JURY TRIAL** commencing on **10/18/2021** at **9:00 AM** and a **PRETRIAL CONFERENCE** on **10/6/2021** at **2:30 PM** in Courtroom #19, 7th Floor, John Joseph Moakley United States Courthouse, Boston, MA.

Unless excused by the Court, each party shall be represented at the pretrial conference by counsel who will conduct the trial. Counsel shall confer with their clients and with each other **no later than 14 days before the pretrial conference to explore the possibilities of settlement** and shall be prepared to advise the Court as to the prospects of settlement.

At least 30 days prior to the **PRETRIAL CONFERENCE**, by **9/6/2021**, counsel for the parties shall individually file any motions in limine regarding proposed expert testimony. Any oppositions shall be filed at least 14 days prior to the **PRETRIAL CONFERENCE**, by **9/22/2021**.

At least 14 days prior to the **PRETRIAL CONFERENCE**, by **9/22/2021**, counsel for the parties shall jointly file the following documents with the Court:

1. A joint pretrial memorandum in accordance with L.R. 16.5(d) which sets forth the following information:
 - a. a concise summary of the evidence that will be offered by plaintiff, defendant, and any other parties with respect to both liability and damages (including special damages, if any);
 - b. a joint stipulation of facts agreed to by the parties;
 - c. a concise summary of the contested issues of fact;
 - d. any jurisdictional questions;
 - e. any issues raised by pending motions;
 - f. a concise summary of the contested issues of law, including evidentiary issues;
 - g. the probable length of the trial based on a trial schedule of 9:00 AM to 1:00 PM daily;
 - h. the names and city of residence of witnesses to be called and whether the testimony of any such witness is intended to be presented by deposition.
2. A joint list of exhibits to be introduced without objection, identified by a single sequence of numbers, regardless of which party is the proponent of an exhibit.
3. A joint list of marked exhibits to be offered at trial as to which an opposing party has reserved the right to object, identified by a single sequence of capital letters, regardless of which party is the proponent of an exhibit.
4. A joint list of witnesses expected to testify at trial on behalf of each party with an estimate of the amount of time needed for the direct and cross examination of each witness.
5. A joint list of deposition testimony to be used at trial by each party, identifying the portions to be used by page and line number, and any objections. If objections are to be reserved, rulings must be sought at least 7 days prior to trial. Parties shall confer before filing any objections.

At least 14 days prior to the **PRETRIAL CONFERENCE**, by **9/22/2021**, counsel for the parties shall individually file the

following documents with the Court:

1. Trial briefs.
2. Any motions in limine or other requests regarding foreseeable disputes concerning evidentiary issues or objections to deposition testimony. There shall be a limit of 5 motions in limine per side.
3. Proposed jury instructions and any preliminary jury instructions.
4. Proposed voir dire questions.
5. Proposed verdict form.

Any oppositions or responses to the pretrial filings listed above shall be filed at least 7 days prior to the **PRETRIAL CONFERENCE**, by **9/29/2021**.

In the event that the case has been settled before the pretrial conference, counsel shall email and/or call the Deputy Clerk and promptly submit closing papers. Compliance with this order is not excused, absent the filing of closing papers or the entry of a Settlement Order of Dismissal.

If the Court reschedules the trial, all submission dates in this order remain in effect unless counsel file a motion seeking leave of Court to modify them to specifically designed dates.

Failure to comply with any of the directions set forth above may result in judgment of dismissal or default, or the imposition of other sanctions deemed appropriate by the Court.

SO ORDERED.

/s/ Patti B. Saris
Hon. Patti B. Saris
United States District Judge